

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

CANHAM et al.

Serial No. 09/744,152

Filed: January 22, 2001

For: SILICON MICRO-MACHINED PROJECTION WITH DUCT



Atty. Ref.: 124-821

Group:

Examiner:

* * * * *

March 27, 2001

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RECEIVED
JUL 17 2001
TC 1706**RESPONSE TO NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. § 371**

Responsive to the Notification of Missing Requirements mailed March 1, 2001 (a copy of which is attached), it is respectfully submitted that the executed Declaration was filed on February 8, 2001. A copy of the PTO mail room date-stamped postcard indicating receipt of the executed Declaration is attached hereto.

Confirmation of receipt of the executed Declaration is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Stanley C. Spooner

Reg. No. 27,393

SCS:kmm

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097/144152

Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
097/144,152		124-821

NIXON & VAN DERHUYE
8TH FLOOR
1100 NORTH GLEBE ROAD
ARLINGTON VA 22201

INTERNATIONAL APPLICATION NO.
PCT/US97/02381

I.A. FILING DATE
07/22/99

PRIORITY DATE
07/22/98

DATE MAILED:
03/01/01

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☐ a non-English language.
 - ☒ English.

DOCKETED

CLT/MATTER # 124-821
MAIL DATE 3/1/01
FILE DATE 2/21/2001
DEADLINE Sept 1, 2001
BY NLR/MCS
Kw

- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed 22 Jan 2001 and
- ☒ Information Disclosure Statement(s) filed 22 Jan 2001 and
- ☒ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed
- ☐ Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE **MUST** BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- 4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
- 5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice **MUST** be returned with this response.

Serial No.: 09/744,152
Inventor/s: CANHAM et al.

Atty: Stanley C. Spooner
Date: February 8, 2001
C#/M#: 124-821

Title: SILICON MICRO-MACHINED PROJECTION WITH
DUCT

Amendment
Pages Specification, Claims & Abstract
Claims
Sheets of Drawings
X Declaration (Pages)
Assignment (Pages) Including
Priority Document(s)
Base Issue Fee Transmittal
\$ Fee (Check)
Other: **2nd Submission Trans Ltr to DO/EO/US**



FORM PTO-1390 (REV 11-98)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 124-821
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 09/744,152
INTERNATIONAL APPLICATION NO. PCT/GB99/02381	INTERNATIONAL FILING DATE 22 July 1999	PRIORITY DATE CLAIMED 22 July 1998
TITLE OF INVENTION SILICON MICRO-MACHINED PROJECTION WITH DUCT		
APPLICANT(S) FOR DO/EO/US CANHAM et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. To 16. Below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information.
☐ This application is entitled to "Small entity" status. ☐ "Small entity" statement attached.

09/744,152

PCT/GB99/02381

124-821

17. ☐ The following fees are submitted: (\$1278.00 filing fees paid on January 22, 2001)

CALCULATIONS PTO USE ONLY

BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):

- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1000.00
- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$860.00
- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO\$710.00
- International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$690.00
- International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total Claims	-20 =	0	X	\$18.00	\$	0.00
Independent Claims	-3 =	0	X	\$80.00		0.00
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$270.00	\$	0.00
TOTAL OF ABOVE CALCULATIONS =					\$	0.00
Reduction by 1/2 for filing by small entity, if applicable. Small entity status must also be asserted. (Note 37 C.F.R. 1.9, 1.27, 1.28).						0.00
SUBTOTAL =					\$	0.00
Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).				+		0.00
TOTAL NATIONAL FEE =					\$	0.00
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				+	\$	0.00
Fee for Petition to Revive Unintentionally Abandoned Application (\$1240.00 - Small Entity = \$620.00)					\$	0.00
TOTAL FEES ENCLOSED =					\$	0.00
				Amount to be:		
				refunded	\$	
				Charged	\$	

- a. ☐ A check in the amount of \$0.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.
- d. ☐ The entire content of the foreign application(s), referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

NIXON & VANDERHYE P.C.
1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201
Telephone: (703) 816-4000

SIGNATURE

Stanley C. Spooner
NAME

27,393

February 8, 2001

REGISTRATION NUMBER

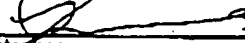
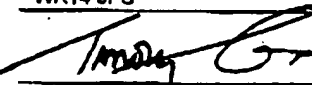
Date

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

Nixon & Vanderhye P.C. (12/95)

Page 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3.	Inventor's Signature: 	Date: 11/2/01
	Inventor: Christopher (first) MI REEVES (last) GB (citizenship)	
	Residence: (city) MALVERN (state/country) GB	
	Post Office Address: St Andrews Road Malvern Worcs (Zip Code) WR14 3PS	
4.	Inventor's Signature: 	Date: _____
	Inventor: _____ (first) MI _____ (last) _____ (citizenship)	
	Residence: (city) _____ (state/country) _____	
	Post Office Address: _____ (Zip Code) _____	
5.	Inventor's Signature: _____	Date: _____
	Inventor: _____ (first) MI _____ (last) _____ (citizenship)	
	Residence: (city) _____ (state/country) _____	
	Post Office Address: _____ (Zip Code) _____	
6.	Inventor's Signature: _____	Date: _____
	Inventor: _____ (first) MI _____ (last) _____ (citizenship)	
	Residence: (city) _____ (state/country) _____	
	Post Office Address: _____ (Zip Code) _____	
7.	Inventor's Signature: _____	Date: _____
	Inventor: _____ (first) MI _____ (last) _____ (citizenship)	
	Residence: (city) _____ (state/country) _____	
	Post Office Address: _____ (Zip Code) _____	
8.	Inventor's Signature: _____	Date: _____
	Inventor: _____ (first) MI _____ (last) _____ (citizenship)	
	Residence: (city) _____ (state/country) _____	
	Post Office Address: _____ (Zip Code) _____	
9.	Inventor's Signature: _____	Date: _____
	Inventor: _____ (first) MI _____ (last) _____ (citizenship)	
	Residence: (city) _____ (state/country) _____	
	Post Office Address: _____ (Zip Code) _____	
10.	Inventor's Signature: _____	Date: _____
	Inventor: _____ (first) MI _____ (last) _____ (citizenship)	
	Residence: (city) _____ (state/country) _____	
	Post Office Address: _____ (Zip Code) _____	

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TOTAL P.03